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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,498	03/16/2004	Masahito Yamazaki	CFA00067US	3662
34904 7590 11/25/2008 CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION 15975 ALTON PARKWAY IRVINE, CA 92618-3731				
EXAMINER				
DICKER, DENNIS T				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
11/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/802,498

Applicant(s)

YAMAZAKI ET AL.

Examiner

DENNIS DICKER

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,11 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10,11 and 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Remarks, filed 8/5/2008, with respect to the rejection(s) of claim(s) 10-11 and 18-20 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nakajima et al (US 6,882,447) and further in view of Simske (US 7,254,270).

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18-20 are rejected under 35 U.S.C. 101 because the method claims are not tied to a machine or device or not transforming article or material (data is not article or material).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 10, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima in view of Simske.

With respect to **Claim 10**, Nakajima teaches an image input/output system (*i.e.*, **Fig. 1**) comprising: obtaining means for obtaining a print-job that includes print-data (*i.e.*, **Col. 1 lines 12-19**); analyzing means for analyzing the print-data to determine the presence of a picture object for color-output in the print-data (*i.e.*, **Col. 3 lines 18-42**); and generating means for generating image data (*i.e.*, **Col.5 lines 52-62**) by calculating color-space conversion for the print-data at a predetermined bit-depth if the presence of the picture object for color-output is determined (*i.e.*, **Col. 6 lines 12-18**) and by calculating the color-space conversion at a predetermined bit-depth if the presence of the picture object for color-output is not determined (*i.e.*, **Col 6 lines 4-11**).

Nakajima does not explicitly teach the calculating print-data at a *high* bit-depth if the presence of the picture object for color-output is determined and by calculating print data at a *low* bit-depth if the presence of the picture object for color-output is not determined.

However, the mentioned claimed limitations are well known in the art as evidenced by Simske. In particular, Simske teaches the use of calculating print-data at a *high* bit-depth if the presence of the picture object for color-output is determined (*i.e.*, **Col. 1 lines 39-41, a region such as a photographed region of print data is classified and processed as a high bit depth**) and by calculating the print-data at a *low* bit-depth if the presence of the picture object for color-output is not determined

1(i.e., Col. 1 lines 41-42, a region such as a line drawing region of print data is classified and processed as a low bit depth).

In view of this, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify the generation mean of Nakajima as taught by Simske since Simske suggested in Col. 2 lines 10-32 that such a modification would provide and an improved image processing technique that would classify and process objects of various types.

With regards to the image input/output method of **Claim 18**, the limitation of the claim 18 are corrected by the limitations of claim 10 above. The steps of claim 18 read into the function step of claim 10.

With regards to the computer readable medium of **Claim 20**, the limitation of the claim 20 are corrected by the limitations of claim 10 above. The steps of claim 20 read into the function step of claim 10.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima and Simske as applied to claim 10 above, and further in view of Katayama (US 6,906,827)

With respect to Claim 11, Nakajima and Simske does not explicitly teach an image input/output system wherein the generating means generates the image data without calculating the color-space conversion for the print-data if the picture object in the print-data is to be rendered by a predetermined property and color.

However, the mentioned claimed limitations are well known in the art as evidenced by Katayama, In particular, Katayama teaches the use of an image

input/output system wherein the generating means generates the image data without calculating the color-space conversion for the print-data if the picture object in the print-data (i.e., Col. 3 lines 57-63, **second processing unit only calculates color conversion for RGB data into CMY data only and not Black pixel data**) is to be rendered by a predetermined property and color (i.e., Col. 6 lines 10-14, **it is assumed that image data of a solid black color is automatically converted to a CMY value therefore no LUT or calculations are needed**).

In view of this, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify the generation means of Nakajima and Simske as taught by Katayama since Katayama suggested in Col. 1 lines 13-20 that such a modification would provide an efficient color image processor that will optimize the output of an color document containing character and picture images.

With regards to the image input/output method of **Claim 19**, the limitations of claim 19 are corrected by the limitations of claim 11 above. The steps of claim 20 read into the function step of claim 11.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS DICKER whose telephone number is (571)270-3140. The examiner can normally be reached on Monday -Thursday 7:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. D./
Examiner, Art Unit 2625
11/25/2008

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625